

**State of Michigan • State of Ohio • Commonwealth of Pennsylvania
State of Wisconsin • State of Indiana • Commonwealth of Kentucky**

April 10, 2003

The Honorable Paul E. Gillmor, Chairman
Subcommittee on Environment and Hazardous Materials
Committee on Energy and Commerce
U.S. House of Representatives
Washington, DC 20515

Dear Mr. Chairman:

We are writing to advise you of our strong support for the Solid Waste Interstate Transportation Act and request that you hold an expeditious markup of this legislation.

As you know, this bill, almost identical to H.R. 1213 from the 107th Congress, would provide state and local governments with needed tools to reasonably limit the amount of out-of-state and international waste that crosses their borders, maintain disposal capacity for their own waste, and assure protection of states' natural resources. As Governors of states that continue to receive unwelcome waste shipments, we believe the time for action is past due.

Lacking a specific delegation of authority from Congress to regulate waste imports within state boundaries, states remain subject to an endless flood of trash from outside their borders. It is critical that Congress end the decade-long impasse created by the U.S. Supreme Court's 1992 decision in *Ft. Gratiot Sanitary Landfill, Inc. v. Michigan Department of Natural Resources*, where the Court held that state limitations on interstate waste shipments violate the interstate commerce clause of the U.S. Constitution. In the absence of Congressional action, our states can continue to expect increasing percentages of annual waste disposal to originate from outside our borders.

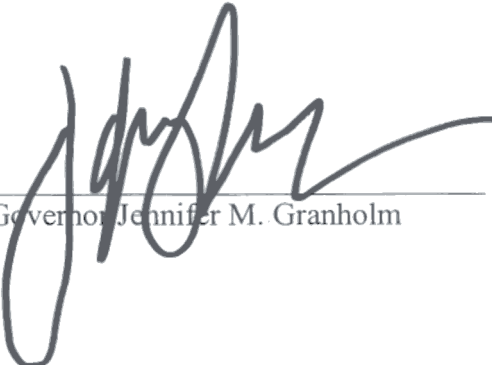
Our states have worked together for several years to resolve the problem of unregulated interstate transport of waste, and many states outside of our region also view this issue as significant. With the limitation presented by the Supreme Court's *Ft. Gratiot* decision, the passage of the Solid Waste Interstate Transportation Act would provide much-needed authority for efforts to restore rationality, accountability, and control of interstate waste flows.

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We urge the Subcommittee on Environment and Hazardous Materials to mark this legislation up before the Memorial Day District Work Period and look forward to working with you toward enactment of a bill that will prevent future dumping on the citizens of Ohio, as well as Indiana, Kentucky, Michigan, Pennsylvania, Wisconsin and other states.

Sincerely,



Governor Jennifer M. Granholm



Governor Bob Taft



Governor Edward G. Rendell



Governor Jim Doyle



Governor Frank L. O'Bannon



Governor Paul E. Patton

cc The Hon. Hilda L. Solis, Subcommittee Ranking Member
 The Hon. W.J. (Billy) Tauzin, Chairman, Committee on Energy and Commerce
 The Hon. John D. Dingell, Ranking Member, Energy and Commerce Committee